

House Republican Press Release

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Representative Frey: New Laws Take Effect October 1



Hartford, CT-State Rep. John H. Frey, R-Ridgefield, today said that parents of young children, new teenage drivers, and cell phone users should familiarize themselves with several new laws that take effect on Saturday, October 1.

Public Act 05-58 modifies Department of Motor Vehicles (DMV) requirements for restraining children in motor vehicles. The new regulations extend child restraint system use requirements from children under age four weighing less than 40 pounds to children under age seven or who weigh less than 60 pounds, regardless of age. It also requires any child under age one or weighing less than 20 pounds to be transported in a rear-facing position in his child restraint system and requires children restrained in booster seats to be anchored by a seat belt that includes a shoulder belt. Use of a lap belt only is prohibited.

Children age seven or older and weighing 60 pounds or more may be transported in either a child restraint system or seat safety belt. Existing regulations also require that drivers assure that any child passenger age four through age 15 is secured in a seat safety belt.

Under the new legislation, violators of the rear-facing positioning requirement for infants and the booster seat anchorage requirements are subject to the same penalties that apply to child restraint use violations. The penalties are an infraction for a first offense; a fine of up to \$199 for a second offense; and a fine of up to \$2,000, imprisonment for up to one year, or both (Class A misdemeanor) for a third or subsequent offense.

Meanwhile, new legislation that also takes effect October 1 modifies graduated license restrictions approved by the Legislature in 2003. Currently, a 16- or 17-year old learning to drive under a learner's permit must complete, among other things, at least eight hours of behind-the-wheel, on-the-road training before he qualifies for a driver's license. The new legislation increases the minimum amount of behind-the-wheel, on-the-road training a 16- or 17-year old must have before qualifying for licensure from eight to 20 hours. The new law allows any training, including both classroom instruction and behind-the-wheel instruction, to be done through a combination of DMV-approved methods.

It also prohibits a 16- or 17-year old licensed driver from driving from 12: 00 a. m. through 5: 00 a. m. unless he is traveling because of his employment, school or religious activities, or medical necessity. It exempts a 16- or 17-year old licensee from the

passenger and hour restrictions if he is an active member of a volunteer fire company or department, a volunteer ambulance service or company, or an emergency medical service organization and is responding to an emergency or carrying out his duties as a member.

Currently, during the first three months a 16- or 17-year old holds a driver's license, he may transport no more than one passenger who must be either a (1) parent or legal guardian who is at least age 25 and a licensed driver, (2) person who is at least age 20 and has held an unsuspended driver's license for at least the preceding four years, or (3) licensed driving instructor. This provision caused problems, as it prohibited more than one immediate family member from riding in a vehicle with a new teenage driver.

Under the new legislation, the driver will be allowed to transport during the first three months of licensure either (1) both his parents or legal guardian, regardless of age as long as one is a licensed driver, or (2) one passenger only who must be either a licensed driving instructor or someone at least age 20 with an unsuspended driver's license for the four preceding years.

“Statistics have shown that graduated license laws had a positive effect in other states,” said Rep. Frey, who serves as an Assistant Minority Leader. “I’m hopeful that requiring additional training and banning unnecessary driving during the overnight hours will help reduce accidents among new teen drivers.”

Finally, Public Act 05-159, which bans the use of hand-held cell phones while driving. The legislation prohibits drivers from using hand-held phones unless they are communicating an emergency situation to an emergency response operator, hospital, physician's office or health clinic, ambulance company, or fire or police department. Under the legislation, a first violation is punishable as an infraction with a fine of up to \$75, a second violation by a fine of up to \$150, and a third or subsequent violation by a fine of up to \$250.

“Using a hand-held phone while driving is a distraction that endangers public safety,” said Rep. Frey.

“Police in Connecticut will now have the ability to prosecute a legitimate road hazard and people who routinely use cell phones in their vehicle should consider purchasing a hands-free attachment to be in compliance with the new law.”